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Req for Reex
N. Chapman
8-2-2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Of: Amatucci
Serial No: 09/764,640
Filed: January 18, 2001
For: Carbon Fabric Supercapacitor Structure

Art Unit: 3729
Examiner: Boswell, A.

Telcordia Case No: APP 1380

Commissioner of Patents
and Trademarks
Patent and Trademark Office
Washington, D.C. 20231

August 7, 2002

RESPONSE

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TECHNOLOGY CENTER R3700

Dear Sir:

In response to the Office Action dated April 4, 2002, please accept the following response.

The Examiner has rejected claim 6-8 under 35 USC 102(b) as being anticipated by US Patent 5,649,982 to Halliop. In particular, the Examiner indicates that Halliop discloses a positive electrode member, a negative electrode member and a separator member, wherein each of the electrode members is "formed of an activated carbon fabric element bonded to an electrically-conductive current collector element" and wherein the separator is "formed of a micro-fibrillar ultra-high molecular weight polyolefin membrane".

Further, with respect to claim 7, the Examiner finds that Halliop teaches the "collector is coated with a layer of electrically conductive thermo adhesive", that each fabric

electrode element "is arranged in surface contact with the coated surface of its associated collector element" to form a subassembly and that the subassembly "is laminated under heat and pressure to form a unitary electrode member".

In addition, with respect to claim 8, the Examiner finds that "the exposed fabric surface of each the electrode member is arranged in contact with a respective surface of the separator member" and the "arrangement is laminated under heat and pressure to soften the separator member and effect an adhesive laminate bond".

These rejections are respectfully traversed and it is respectfully submitted that the present claims 6-8 are patentably distinct from Halliop.

Initially, it has been long established that rejections based on anticipation or lack of novelty require that all of the elements of the claimed invention be described in a single reference, and that anticipation occurs only when some single prior article, patent, or publication contains within its four corners every element of the claim in question. (See *In re Spada*, 15 USPQ 2nd 1655, (CAFC 1990) and *Paeco, Inc v. Applied Molding, Inc.*, 194 USPQ 353, (CA3 1977), among numerous others).

It is very clear that Halliop fails to meet the criteria established for an anticipation rejection. In particular, the present invention requires that each electrode member be formed of an activated carbon fabric element (claim 6, line 6-7). Contrary to this requirement of the present claims, Halliop forms the electrodes from non-woven web of non-

activated carbon fibers (see Abstract; col.2, line 25-26; etc. of Halliop).

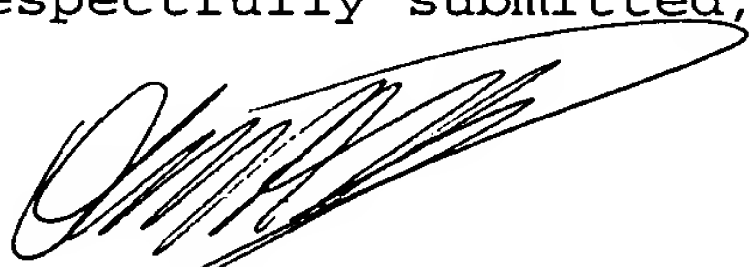
It is further noted that Halliop is directed solely to aqueous capacitor technology, while the present invention is directed to non-aqueous supercapacitors.

The more detailed statements of the Examiner noted above, are moot in light of the above failure of Halliop and further discussion thereof is deemed unnecessary.

In light of the above, it is clear that Halliop fails to anticipate the present invention as defined by instant claims 6-8. Therefore, it is respectfully requested that the rejection of claims 6-8 under 35 USC 012(b) as being anticipated by Halliop be withdrawn and that the application be passed to issue.

For the convenience of the Examiner and the USPTO, an appendix setting forth the status of all claims related to this application is attached.

Respectfully submitted,



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